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c 154 The City of Ottawa Act, 1974

Ontario

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CHAPTER 154

An Act respecting the City of Ottawa*Assented to June 3rd, 1974*

WHEREAS The Corporation of the City of Ottawa, herein Preamble
called the Corporation, hereby applies for special legis-
lation in respect of the matters hereinafter set forth; and
whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) In this section, "taxi-cab broker" means a taxi-cab Interpre-
broker as defined in clause *a* of paragraph 6 of section 377 of tation
The Municipal Act. R.S.O. 1970.
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(2) By-laws may be enacted by the council of the Corpora- Council
may enact
by-laws
tion,

1. subject to section 5, prohibiting taxi-cab brokers
from operating within the City of Ottawa;
2. limiting the number of taxi-cab brokers licensed by
the Corporation;
3. regulating and controlling stand rents and prohibit-
ing the charging of stand rents in excess of those
permitted in any such by-law;
4. regulating and controlling taxi-cab rents and pro-
hibiting the charging of rents in excess of those
permitted in any such by-law;
5. authorizing the use of a standard form of rental
agreement for all stand rentals, which form shall
be attached to such by-law as a part thereof and
providing that no stand rental agreement shall be
binding on the parties thereto unless in the form
attached to such by-law;

6. authorizing the use of a standard form of rental agreement for all taxi-cab rentals which form shall be attached to such by-law as a part thereof and providing that no taxi-cab rental agreement shall be binding on the parties thereto unless in the form attached to such by-law;
7. prohibiting any person from entering into a stand rental agreement or a taxi-cab rental agreement which deviates from the agreements referred to in paragraphs 5 and 6;
8. requiring the establishment, regulation and maintenance of a taxi-cab driver's record book;
9. authorizing the Corporation,
 - (a) to enter into agreements in respect of the establishment, operation and maintenance of a central dispatch system for taxi-cabs, and of the sharing of the profits thereof;
 - (b) to pay such costs of capital equipment or operation charges in respect of the agreements referred to in clause *a* as may be considered appropriate by the Corporation; and
 - (c) providing for the charging of the costs of capital equipment and operating expenses referred to in clause *b* to revenue;
10. authorizing,
 - (a) the Corporation to establish, operate and maintain a central dispatch system for taxi-cabs alone or jointly with other persons;
 - (b) the provision of funds required to establish, operate and maintain a central dispatch system, by the Corporation alone or jointly with other persons; and
 - (c) the staffing by employees of the Corporation of a central dispatch system operated and maintained by the Corporation alone or jointly with other persons;
11. authorizing the Corporation to enter into agreements with owners of taxi-cabs for the use of the central dispatch system by their taxi-cabs;

12. authorizing the Corporation to enter into agreements with persons to provide taxi-cab service, and providing for the recovery and collection of all debts due the Corporation arising from failure to make payment of any charges arising out of any such agreement in the same manner and to the same extent as provided in section 469 of *The Municipal Act*;

R.S.O. 1970,
c. 284

13. authorizing the Corporation to enter into agreements with the operators of credit card systems, whereby they will make payment of charges made through their system or guarantee payment thereof;

14. subject to sections 2 to 4, authorizing the Corporation to acquire by purchase the business of each taxi-cab broker operating within the City of Ottawa on the day the by-law is passed.

2. Where a by-law is passed under paragraph 14 of subsection 2 of section 1,

Procedure
where by-law
passed under
s. 1 (2), par. 14

- (a) the Corporation shall, either by personal service or by prepaid registered mail, give notice in writing to the owner of each taxi-cab broker business operating in the City of Ottawa of the passing of the by-law and of the Corporation's intention to acquire the business of the taxi-cab broker; and

- (b) the Corporation and the owner of each such taxi-cab broker business shall determine the fair market value of the taxi-cab broker business as a going concern as of the date of the giving of the notice of intention to acquire the business,

- (i) by agreement between the Corporation and the owner of the taxi-cab broker business,
or

- (ii) failing agreement under subclause i, by arbitration under *The Arbitrations Act*, all of the provisions of which apply as if the arbitration were pursuant to a submission under that Act, except in so far as this Act is inconsistent therewith.

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c. 25

3. Where the Corporation and the owner of a taxi-cab broker business are unable to reach agreement under subclause i of clause b of section 2, either party may serve upon the other notice in writing that it desires the fair market value of the business to be determined by a board

Notice
requiring
arbitration

of arbitration and each party shall, within seven days of the serving of the notice appoint a member, and a third member, who shall be chairman, shall be appointed within a further seven days by the two members so appointed.

Payment of
market value
and vesting of
business in
Corporation

4. Where the fair market value of a taxi-cab broker business has been determined either by agreement under subclause i of clause *b* of section 2 or by arbitration under subclause ii of clause *b* of section 2, the Corporation shall pay the full amount thereof to the owner of the business and upon such payment the business of such taxi-cab broker thereupon vests in the Corporation.

When by-law
passed under
s. 1 (2), par. 1,
comes into
force

5. No by-law passed under paragraph 1 of subsection 2 of section 1 comes into force or has effect until the business of each taxi-cab broker operating in the City of Ottawa has been acquired by the Corporation pursuant to a by-law passed under paragraph 14 of subsection 2 of section 1 and each such business has become vested in the Corporation under section 4.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. This Act may be cited as *The City of Ottawa Act, 1974*.